

ORDINANCE NO. 20060727-131

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 9804 NORTH FM 620 ROAD FROM DEVELOPMENT RESERVE (DR) DISTRICT AND SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from development reserve (DR) district and single family residence standard lot (SF-2) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-06-0027, on file at the Neighborhood Planning and Zoning Department, as follows:

A 4.655 acre tract of land, more or less, out of the A.E. Livingston Survey Abstract No. 478, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 9804 North FM 620 Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
2. The following uses are conditional uses of the Property:

Community recreation (private)
Congregate living
Hospital services (limited)

Community recreation (public)
Group home (Class II)
Residential treatment

3. The following uses are prohibited uses of the Property:

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|-------------------------------|--|
| Automotive rentals | Automotive repair services |
| Automotive sales | Automotive washing (of any type) |
| Bail bond services | Business or trade school |
| Business support services | Commercial off-street parking |
| Communications services | Drop-off recycling collection facility |
| Exterminating services | Food preparation |
| Funeral services | General retail sales (general) |
| Hospital services (general) | Hotel-motel |
| Indoor entertainment | Indoor sports and recreation |
| Off-site accessory parking | Outdoor entertainment |
| Outdoor sports and recreation | Pawn shop services |
| Personal improvement services | Research services |
| Service station | Theater |

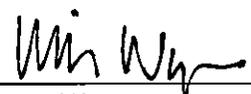
4. A 150-foot wide vegetative buffer shall be provided and maintained along and adjacent to the west property line. Improvements permitted within the buffer zone are limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

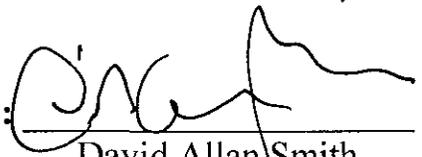
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district and other applicable requirements of the City Code.

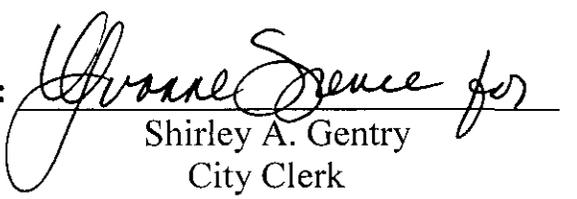
PART 3. This ordinance takes effect on August 7, 2006.

PASSED AND APPROVED

_____ July 27 _____, 2006 §
 §
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 Will Wynn
 Mayor

APPROVED: 
 David Allan Smith
 City Attorney

ATTEST: 
 Shirley A. Gentry
 City Clerk

C14-06-0027

CARSON AND BUSH
PROFESSIONAL SURVEYORS, INC.
1904 FORTVIEW ROAD
AUSTIN, TX 78704
TELEPHONE: (512) 442-0990
FACSIMILE: (512) 442-1084

EXHIBIT A

FIELD NOTE DESCRIPTION OF 4.655 ACRES OF LAND OUT OF THE A.E. LIVINGSTON SURVEY ABSTRACT No. 478 IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN (5 ACRE) TRACT OF LAND AS CONVEYED TO CECIL L. BRIGGS BY DEED RECORDED IN VOLUME 3971 PAGE 1926 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, LESS THAT PORTION NOW LYING WITHIN THE RIGHT-OF-WAY OF F.M. HIGHWAY No. 620, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron pipe found for the Northwest corner of that certain (5 acre) tract of land as conveyed to Cecil L. Briggs by deed recorded in Volume 3971 Page 1926 of the Deed Records of Travis County, Texas, and for the Southwest corner of that certain (11.722 acre) tract of land as conveyed to Nootsie, Ltd. by deed recorded in Volume 11948 Page 4104 of the Real Property Records of Travis County, Texas, and being the Northwest corner and **PLACE OF BEGINNING** of the herein described tract;

THENCE with the common line of said Briggs (5 acre) tract and said Nootsie (11.722 acre) tract, S 63 deg. 17' 47" E 1014.62 ft. to a ½" iron rod found with a plastic cap imprinted with "D. Seelig" on the West right-of-way line of F.M. Highway No. 620 for the Northeast corner of this tract, and from which the record Northeast corner of said Briggs (5 acre) tract and the Southeast corner of said Nootsie (11.722 acre) tract being in the approximate centerline of F.M. Highway 620 bears S 63 deg. 17' 47" E 75.53 ft.;

THENCE crossing the interior of said Briggs (5 acre) tract, S 40 deg. 18' 34" W 210.43 ft. to a ½" iron pipe found on the South line of said Briggs (5 acre) tract and for an angle corner of that certain (155.992 acre) tract of land as conveyed to Nootsie, Ltd. by deed recorded in Volume 11935 Page 1373 of the Real Property Records of Travis County, Texas, and being the Southeast corner of this tract, and from which the record Southeast corner of said Briggs (5 acre) tract bears S 63 deg. 15' 17" W 75.59 ft.;

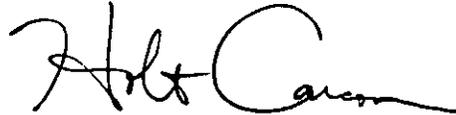
THENCE with the common line of said Briggs (5 acre) tract and said Nootsie (155.992 acre) tract, N 63 deg. 15' 17" W 971.63 ft. to a ½" iron pipe found for the Southwest corner of said Briggs (5 acre) tract and for the most easterly Northeast corner of said Nootsie (155.992 acre) tract and being the Southwest corner of this tract;

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4.655 ACRES

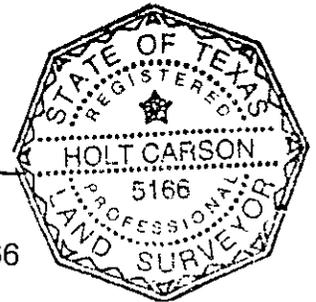
THENCE with the West line of said Briggs (5 acre) tract, the following two (2) courses;

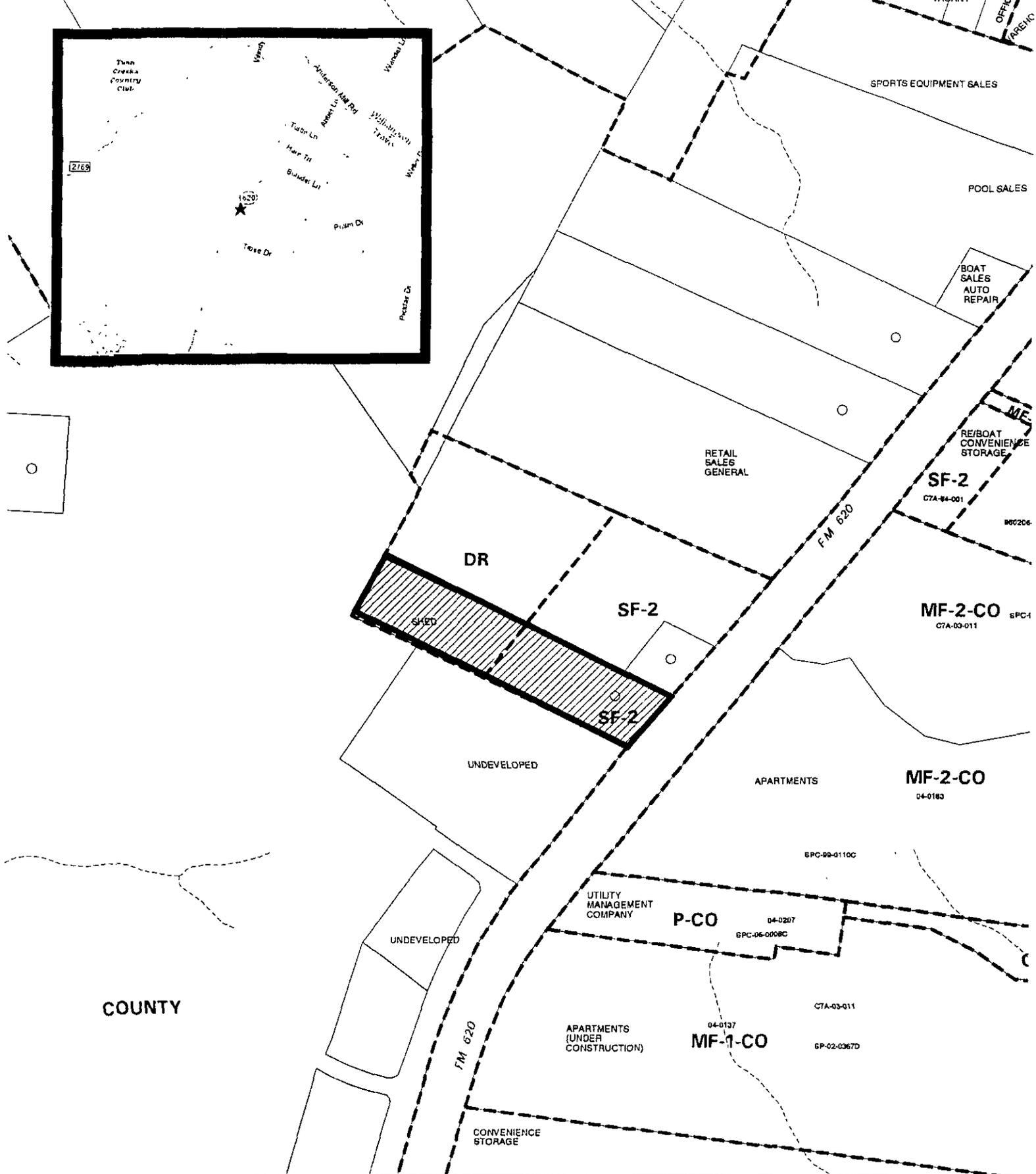
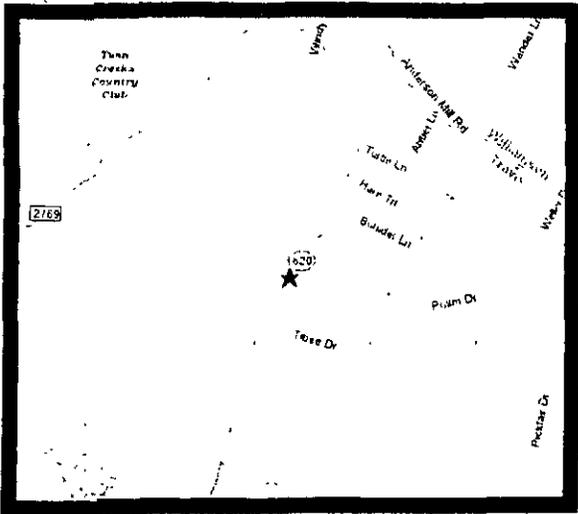
- 1) N 28 deg. 31' 54" E 197.50 ft. to a ½" iron rod found with a plastic cap imprinted with "D. Seelig";
- 2) N 28 deg. 37' 16" E 6.42 ft. to the **PLACE OF BEGINNING**, containing 4.655 acres of land.

PREPARED: February 28, 2006.



Holt Carson
Registered Professional Land Surveyor No. 5166





COUNTY

 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT B CASE #: C14-06-0027 ADDRESS: 9804 N FM 620 RD SUBJECT AREA (acres): 4.655	DATE: 06-07 INTLS: SM	CITY GRID REFERENCE NUMBER d37
	PENDING CASE 			
	ZONING BOUNDARY 			
	CASE MGR: W.WALSH			